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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 5

Complete if Known	
Application Number	10/790,562
Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	~~1655~~ 1636 wdf
Examiner Name	W. Schlapkohl
Attorney Docket Number	2578-4038.3US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number - Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
wdf		US-5,192,539	03-09-1993	Van Der Marel et al.	
wdf		US-6,878,549 B1	04-12-2005	Vogels et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] - Number[4] - Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
wdf		EP 0 833 934 B1	04-08-1998	Fallaux et al.		
wdf		WO 99/24068	05-20-1999	Michigan State University		

Examiner Signature	W Schlapkohl	Date Considered	3-15-2006

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Sheet 2 of 5

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First Named Inventor	Hateboer et al.
Group Art Unit	~~1653~~ 1636 waf
Examiner Name	W. Schlapkohl
Attorney Docket Number	2578-4038.3US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
waf		ALKHATIB et al., "Expression of Bicistronic Measles Virus P/C mRNA by Using Hybrid Adenovirus: Levels of C Protein Synthesized In Vivo Are Unaffected by the Presence or Absence of the Upstream P Initiator Codon," Journal of Virology, November 1988, pp. 4059-4068, Vol. 62, No. 11.	
waf		ALKHATIB et al., "High-Level Eurcaryotic In Vivo Expression of Biologically Active Measles Virus Hemagglutinin by Using an Adenovirus Type 5 Helper-Free Vector System," Journal of Virology, August 1988, pp. 2718-2727, Vol. 62, No. 8.	
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waf		BUKREYEV et al., "Recombinant Respiratory Syncytial Virus from Which the Entire SH Gene Has Been Deleted Grows Efficiently in Cell Culture and Exhibits Site-Specific Attenuation in the Respiratory Tract of the Mouse," Journal of Virology, December 1997, pp. 8973-8982, Vol. 71, No. 12.	
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waf		CICCARONE et al., "Lipofectamine 2000 Reagent for Transfection of Eukaryotic Cells," Focus, 1999, pp. 54-55, Vol. 21, No. 2.	
waf		COTE et al., Serum-Free Production of Recombinant Proteins and Adenoviral Vectors by 293SF-3F6 Cells, Biotechnology and Bioengineering, September 5, 1998, pp. 567-75, Vol. 59, No. 5.	
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Examiner Signature	waf/dlk	Date Considered	3-15-2006

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Sheet 3 of 5

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Application Number	10/790,562
Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	~~1655~~ 1636
Examiner Name	W. Schlapkohl
Attorney Docket Number	2578-4038.3US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
wls		Figure 1 submitted by Opponent I.	
wls		GALLIMORE et al., Transformation of Human Embryo Retinoblasts with Simian Virus 40, Adenovirus and ras Oncogenes, Anticancer Research, 1986, pp. 499-508, Vol.6.	
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wls		GenBank Accession No. X02996.1, 1993, "Adenovirus type 5 left 32% of the genome."	
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wls		GRAHAM et al., "Characteristics of a Human Cell Line Transformed by DNA from Human Adenovirus Type 5," J. Gen. Virol., 1997, pp. 59-72, Vol. 36.	
wls		GRAHAM et al., "Growth of 293 cells in suspension culture," J Gen Virol, March 1987, pp. 937-940, Vol. 68.	
wls		GRAHAM, Cell Lines, Promochem (visited 04.10.2005) <http://www.lgcpromochem-atcc.com/SearchCatalogs/longview.cfm?view=ce,1146678...>.	
wls		HOLZER et al., "Construction of a Vaccinia Virus Deficient in the Essential DNA Repair Enzyme Uracil DNA Glycosylase by a Complementing Cell Line," Journal of Virology, July 1997, pp. 4997-5002, Vol. 71, No. 7.	
wls		INOUE et al., Production of Recombinant Human Monoclonal Antibody Using ras-Amplified BHK-21 Cells in a Protein-free Medium, Biosci. Biotech. Biochem., 1996, pp. 811-17, Vol. 60, No. 5.	
wls		Interlocutory Decision of the Opposition Division of 21 July 2003 in the case EP 0 695 351(European application 94 913 174.2)	

Examiner Signature	wls/schlapkohl	Date Considered	3-15-2006

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 5

Complete if Known	
Application Number	10/790,562
Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	~~1653~~ 1636 waf
Examiner Name	W. Schlapkohl
Attorney Docket Number	2578-4038.2US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
waf		LOPEZ et al., Efficient production of biologically active human recombinant proteins in human lymphoblastoid cells form integrative and episomal expression vectors, Gene, 1994, pp. 285-91, Vol. 148.	
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waf		Notice of Opposition to a European Patent for 1 161 548 by Serono.	
waf		Opposition against European patent 1 108 878 B1 filed October 5, 2005 in the name and on behalf of CEVEC Pharmaceuticals GmbH.	
waf		Opposition against European patent 1 161 548 B1 filed November 16,2005, in the name and on behalf of CEVEC Pharmaceutical GmbH.	
waf		Opposition against European patent 1108787 filed October 5, 2005 in the name and on behalf of Probiogen AG.	
waf		ORY et al., "A stable human-derived packaging cell line for production of high titer retrovirus/vesicular stomatitis virus G pseudotypes," Proc. Natl. Acad. Sci., October 1996, pp. 11400-11406, Vol. 93.	

Examiner Signature	waf/schlapkohl	Date Considered	3-15-2006

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Sheet 5 of 5

Complete if Known	
Application Number	10/790,562
Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	~~1655~~ 1636 wlf
Examiner Name	W. Schlapkohl
Attorney Docket Number	2578-4038.3US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
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wlf		YEH et al., Adenoviral Vectors, pp. 25-42 of "Concepts in Gene Therapy," Publisher: Walter de Gruyter, New York.	

Examiner Signature	wlf Schlapkohl	Date Considered	3-15-2006

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Sheet 1 of 3

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Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	~~To be assigned~~ 1636 maf
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maf		US- 4,703,008	10-27-1987	Lin	
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maf		US- 2003/0092160	05-15-2003	Bout et al.	

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maf		#WO 95/05465	02-23-1995	Amgen Inc.		
		#WO 98/18926	05-07-1998	G.D. Searle & Co		
		#WO 98/39411	09-11-1998	Baxter International Inc.		
		#WO 98/44141	10-08-1998	The University of British Columbia		
		#WO 99/05268	02-04-1999	Boehringer Mannheim GMBH		
		#WO 00/61164	10-19-2000	Kenneth S. Warren Laboratories		
		#WO 00/63403	10-26-2000	Introgene B.V.		
		#WO 01/38362 A2	05-31-2001	Crucell Holland B.V.		
		#WO 02/053580	07-11-2002	The Kenneth S. Warren Institute, Inc.		
		#WO 03/038100 A1 NO	05-08-2003	Crucell Holland B.V.		
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		#WO 03/048348 A2	06-12-2003	Crucell Holland B.V.		
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maf		#EP 0 411 678	02-06-1991	Genetics Institute, Inc.		

Examiner Signature	maf/schlapkohl	Date Considered	3-15-2005

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Examiner Name	To be assigned SCHLAPKOHL maf
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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maf		#GHOSH-CHOUDHURY et al., Protein IX, a minor component of the human adenovirus capsid, is essential for the packaging of the full length genomes, The EMBO Journal, 1987, pp. 1073-1081, Vol. 6, No. 6. DUPLICATE	
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		#NCBI Entrez Nucleotide accession number U38242. DUPLICATE	
		#NCBI Entrez Nucleotide accession number NC_002018. DUPLICATE	
		#NCBI Entrez Nucleotide accession number X02996 J01967 J01968 J01970 J01971 J01972 J01974 J01976 J01977 J01978 J01979 K00515 V00025 V00026 V00027 V00029. DUPLICATE	
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maf		#PAU et al., Abstract, The human cell line PER.C6 provides a new manufacturing system for the production of influenza vaccines, Vaccine, Mar. 21, 2001, pp. 2716-21, Vol. 19, No. 17-19. NO COPY	

Examiner Signature	maf schlapkohl	Date Considered	3-15-2006

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 3

Complete if Known	
Application Number	10/790,562
Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	To be assigned 1636 waf
Examiner Name	To be assigned SCHLAPKOHL waf
Attorney Docket Number	2578-4038.3US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
waf		#CARROLL et al., Abstract, Differential Infection of Receptor-modified Host Cells by Receptor-Specific Influenza Viruses, Virus Research, Sep. 1985, pp. 165-79, Vol. 3, No. 2.	
		#SCHIEDNER et al., Abstract, Efficient transformation of primary human amniocytes by E1 functions of Ad5: generation of new cell lines for adenoviral vector production, 2000, Hum. Gene Ther. 11, 2105-2116.	
		#PAZUR et al., Abstract, Oligosaccharides as immunodeterminants of erythropoietin for two sets of anti-carbohydrate antibodies, Journal of Protein Chemistry, November 2000, pp. 631-35, Vol. 19, No. 8.	
		#CRONAN, Abstract, Biotination of Proteins in-vivo a post-translational modification to label purify and study proteins, Journal of Biological Chemistry, June 25, 1990, pp. 10327-33, Vol. 265, No. 18.	
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		#PACITTI et al., Inhibition of Reovirus Type 3 Binding to Host Cells by Sialylated Glycoproteins Is Mediated through the Viral Attachment Protein, Journal of Virology, May 1987, pp. 1407-15, Vol. 61, No. 5, American Society for Microbiology.	
		#ZHANG et al., Stable expression of human alpha-2,6-sialyltransferase in Chinese hamster ovary cells: functional consequences for human erythropoietin expression and bioactivity, BBA - General Subjects, 1998, pp. 441-52, Vol. 1425, No. 3, Elsevier Science Publishers, NL.	
		#GRABENHORST et al., Construction of stable BHK-21 cells coexpressing human secretory glycoproteins and human Gal(beta-1-4)GlcNAc-R alpha-2,6-sialyltransferase alpha-2,6-Linked NeuAc is preferentially attached to the Gal(beta-1-4)GlcNAc(beta-1-2)Man(alpha-1-3)-branch of diantennary oligosaccharides from secreted recombinant beta-trace protein, Eur. J. Biochem, 1995, pp. 718-25, Vol. 232, No. 3, Berlin, Germany.	
		#HOLLISTER et al., Stable expression of mammalian beta1,4-galactosyltransferase extends the N-glycosylation pathway in insect cells, Glycobiology, 1998, pp. 473-80, Vol. 8, No. 5, IRL Press, United Kingdom.	
		#JENKINS et al., Getting the glycosylation right: Implications for the biotechnology industry, Nature Biotechnology, August 1996, pp. 975-81, Vol. 14, No. 8, Nature Publishing, US.	
		#WEIKERT et al., Engineering Chinese hamster ovary cells to maximize sialic acid content of recombinant glycoproteins, Nature Biotechnology, November 1999, pp. 1116-21, Vol. 17, No. 11, Nature Pub. Co., New York, NY, US.	
waf		#MINCH et al., Tissue Plasminogen Activator Coexpressed in Chinese Hamster Ovary Cells with alpha(2,6)-Sialyltransferase Contains NeuAc-alpha(2,6)Gal-beta(1,4)Glc-N-AcR Linkages, Biotechnol. Prog., 1995, pp. 348-51, Vol. 11, No. 3.	

Examiner Signature	waf/schlapkohl	Date Considered	3-15-2006

#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:
Serial No.: 09/549,463
Filed: September 3, 2002
For: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN CELL, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

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Sheet 1 of 2

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Application Number	To be assigned
Filing Date	March 1, 2004
First Named Inventor	Hateboer et al.
Group Art Unit	To be assigned 1636 maf
Examiner Name	To be assigned SCHLAPKOHL maf
Attorney Docket Number	2578-4038.3US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number: Number - Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
maf		*US-5,994,128	11-30-1999	Fallaux et al.	
maf		*US-6,653,101 B1	11/25/2003	Cockett et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

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maf		*WO 93/03163	02-18-1993	Fond Nat Transfusion		
maf		*WO 97/00326	01-03-1997	Univ Leiden		
maf		*WO 95/29994	11-09-1995	Univ Michigan		
maf		*EP 0 185 573	06-25-1986	Pasteur Institut		

Examiner Signature	maf/schlapkohl	Date Considered	3-15-2006

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maf		*PCT International Search Report, PCT/NL00/00247, dated October 9, 2000, 3 pages.	
maf		*GHOSH-CHOUDHURY et al., Protein IX, a minor component of the human adenovirus capsid, is essential for the packaging of the full length genomes, The EMBO Journal, 1987, pp. 1733-39, Vol. 6, No. 6.	
maf		*LOUIS et al., Cloning and Sequencing of the Cellular–Viral Junctions from the Human Adenovirus Type 5 Transformed 293 Cell Line, Virology, 1997, pp. 423-29, Vol. 233.	
maf		*NCBI Entrez Nucleotide accession number U38242.	
maf		*NCBI Entrez Nucleotide accession number NC_002018.	
maf		*NCBI Entrez Nucleotide accession number X02996 J01967 J01968 J01970 J01971 J01972 J01974 J01976 J01977 J01978 J01979 K00515 V00025 V00026 V00027 V00029.	
maf		*SETOGUCHI et al., "Stimulation of Erythropoiesis by in vivo gene therapy: Physiologic consequences of transfer of the humanerythropoietin gene to experimental animals using an adenovirus vector," Blood, November 1, 1994, pp. 2946-53, Vol. 84, No. 9.	

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